

1 QUINN EMANUEL URQUHART & SULLIVAN, LLP

Charles K. Verhoeven (Bar No. 170151)

2 charlesverhoeven@quinnemanuel.com

David A. Perlson (Bar No. 209502)

3 davidperlson@quinnemanuel.com

Melissa Baily (Bar No. 237649)

4 melissabaily@quinnemanuel.com

John Neukom (Bar No. 275887)

5 johnneukom@quinnemanuel.com

Jordan Jaffe (Bar No. 254886)

6 jordanjaffe@quinnemanuel.com

50 California Street, 22nd Floor

7 San Francisco, California 94111-4788

Telephone: (415) 875-6600

8 Facsimile: (415) 875-6700

9 Attorneys for WAYMO LLC

10 UNITED STATES DISTRICT COURT

11 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

12 WAYMO LLC,

13 Plaintiff,

14 vs.

15 UBER TECHNOLOGIES, INC.;
16 OTTOMOTTO LLC; OTTO TRUCKING
17 LLC,

18 Defendants.

CASE NO. 3:17-cv-00939-WHA

**DECLARATION OF JAMES BAKER IN
SUPPORT OF PLAINTIFF WAYMO
LLC'S MOTION FOR SANCTIONS**

1 I, James Baker, hereby declare as follows:

2 1. I am a member of the bar of the State of New York and a partner with Quinn
3 Emanuel Urquhart & Sullivan, LLP, counsel for Plaintiff Waymo LLC (“Waymo”). I make this
4 declaration of personal, firsthand knowledge, and if called and sworn as a witness, I could and
5 would testify competently as follows.

6 2. Plaintiff has moved for sanctions against Defendants for their knowing and
7 intentional violation of the Protective Order governing discovery in this case (Dkt. 60) and this
8 Court’s specific order (the “Sealing Order”) requiring redaction of the domain name of Waymo’s
9 subversion (or “SVN”) server (Dkt. 1444).

10 3. Attached as Exhibit A is a true and correct copy of the Protective Order governing
11 discovery in this case.

12 4. Attached as Exhibit B is a true and correct copy of a September 1 email chain
13 exchanged among counsel for Waymo and counsel for Defendants.

14 5. Attached as Exhibit C is a true and correct copy of the attachment to the 12:09pm
15 email from Arturo Gonzalez that is part of the email chain attached hereto as Exhibit B.

16 6. Attached as Exhibit D is a true and correct copy of the attachment to the 1:03pm
17 email from James Baker that is part of the email chain attached hereto as Exhibit B.

18 7. Attached as Exhibit E is a true and correct copy of the attachment to the 1:33pm
19 email from Arturo Gonzalez that is part of the email chain attached hereto as Exhibit B.

20 8. Attached as Exhibit F is a true and correct copy of portions of the transcript from
21 the September 6 deposition of Sasha Zbrozek.

22 9. Attached as Exhibit G is a true and correct copy of portions of the transcript from
23 the September 6 deposition of Gary Brown.

24 10. Attached as Exhibit H is a true and correct copy of portions of the transcript from
25 the September 27 deposition of Bruce Hartley.

26 11. Attached as Exhibit I is a true and correct copy of a September 27 email chain
27 exchanged among counsel for Waymo and counsel for Defendants.
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1 12. Attached as Exhibit J is a true and correct copy of a September 29 email chain
2 exchanged among counsel for Waymo and counsel for Defendants.

3 13. Attached as Exhibit K is a true and correct copy of a August 28 email chain
4 exchanged among counsel for Waymo and counsel for Defendants.

5 I declare under penalty of perjury under the laws of the State of California that the
6 foregoing is true and correct.

7
8 DATED: October 1, 2017

/s James Baker
James Baker

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14 **SIGNATURE ATTESTATION**

15 Pursuant to Local Rule 5-1(i)(3), I attest under penalty of perjury that concurrence in the
16 filing of this document has been obtained from James Baker.

17
18 /s/ Charles K. Verhoeven
Charles K. Verhoeven